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Human Rights Council
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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

26/8 Mandate of the Special Rapporteur on trafficking in persons, especially women and children

The Human Rights Council,

Reaffirming all previous General Assembly and Human Rights Council resolutions on the problem of trafficking in persons, especially women and children,

Recalling the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Reaffirming the principles set forth in relevant human rights instruments and declarations, including the Convention on the Rights of the Child and the Optional Protocol thereto on the sale of children, child prostitution and child pornography, and the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto,

Recalling the United Nations Convention against Transnational Organized Crime and the Protocols thereto, and reaffirming in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and recalling the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,

Recalling also the Forced Labour Convention, 1930 (No. 29), the Worst Forms of Child Labour Convention, 1999 (No. 182), the Domestic Workers Convention, 2011 (No. 189) and the Domestic Workers Recommendation, 2011 (No. 201) of the International Labour Organization, and recalling the adoption by the Organization in 2014 of the Protocol to the Forced Labour Convention and the Recommendation on Supplementary Measures for the Effective Suppression of Forced Labour, 2014 (No. 203),

Taking note of the decision of the General Assembly to declare 30 July World Day against Trafficking in Persons,[1]

Taking note also of the Recommended Principles and Guidelines on Human Rights and Human Trafficking[2] and the commentary thereto developed by the Office of the United Nations High Commissioner for Human Rights,

Recalling the United Nations Global Plan of Action to Combat Trafficking in Persons and Commission on Crime Prevention and Criminal Justice resolution 20/3 of 15 April 2011,

Recognizing the concern expressed by the Human Rights Committee, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child and the Committee against Torture at the persistence of trafficking and the vulnerability of trafficked persons to human rights violations and abuses,

Affirming that trafficking in persons violates and impairs or nullifies the enjoyment of human rights and fundamental freedoms, continues to pose a serious challenge to humanity and requires a concerted international assessment and response and genuine multilateral, regional and bilateral cooperation among countries of origin, transit and destination for its eradication,

Recognizing that victims of human trafficking are exposed to multiple forms of discrimination and violence, including on the grounds of gender, age, race, disability, ethnicity, culture and religion, as well as national or social origin or other status, and that these forms of discrimination may themselves fuel trafficking in persons,

Acknowledging that poverty is an important factor in making persons vulnerable to trafficking,

Recognizing that persons without nationality or birth registration are particularly vulnerable to trafficking,

Noting with concern that some of the demand fostering sexual exploitation, exploitative labour and the illegal removal of organs is met by trafficking in persons,

Bearing in mind that all States have an obligation to exercise due diligence to prevent trafficking in persons, to investigate instances of trafficking and punish perpetrators, to rescue victims and to provide for their protection and access to remedies, and that not doing so violates and impairs or nullifies the enjoyment of the human rights and fundamental freedoms of victims,

Recognizing the importance of the work of the Special Rapporteur on trafficking in persons, especially women and children, in the prevention and promotion of and global fight against human trafficking and in promoting awareness of and upholding the human rights of victims of trafficking,

Welcoming the cooperation of those States that have accepted requests for visits by the Special Rapporteur and have responded to her requests for information,

Acknowledging with interest the work of the Special Rapporteur in drafting the basic principles on the right to an effective remedy for victims of trafficking, as annexed to the report of the United Nations High Commissioner for Human Rights,[3] and taking note with interest of the regional and global consultations conducted by the Special Rapporteur with

[1] General Assembly resolution 68/192.
[2] E/2002/68/Add.1.
[3] A/HRC/26/18.

all relevant stakeholders on the basic principles on the right to an effective remedy for victims of trafficking, as well as the report of the High Commissioner, as requested by the Human Rights Council in its resolution 20/1 of 5 July 2012,

Recalling its resolutions 5/1, on institution-building of the Human Rights Council, and 5/2, on a Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

1. *Welcomes* the report of the Special Rapporteur on the first decade of the mandate of the Special Rapporteur on trafficking in persons, especially women and children;[4]

2. *Decides* to extend the mandate of the Special Rapporteur for a period of three years, in order to, inter alia:

(*a*) Promote the prevention of trafficking in persons in all its forms and the adoption of effective measures to uphold and protect the human rights of victims of trafficking in persons;

(*b*) Promote the effective application of relevant international norms and standards and to contribute to their further improvement;

(*c*) Integrate a gender and age perspective throughout the work of his or her mandate through, inter alia, the identification of gender- and age-specific vulnerabilities in relation to the issue of trafficking in persons;

(*d*) Identify, share and promote good practices in order to uphold and protect the human rights of victims of trafficking in persons and to identify protection gaps in this regard, including with regard to the identification of victims of trafficking in persons;

(*e*) Examine the impact of national, regional and international anti-trafficking measures on the human rights of victims of trafficking in persons with a view to proposing adequate responses to challenges arising in this regard and to avoid re-victimization of victims of trafficking;

(*f*) Give particular emphasis to recommendations on practical solutions with regard to the implementation of the rights relevant to the mandate, including by the identification of concrete areas and means for international and regional cooperation and capacity-building to tackle the issue of trafficking in persons;

(*g*) Request, receive and exchange information on trafficking in persons from and with Governments, relevant treaty bodies, special procedures, specialized agencies, intergovernmental organizations, civil society, including non-governmental organizations, national human rights institutions and other sources, including victims of trafficking or their representatives, as appropriate, and, in accordance with current practice, respond effectively to reliable information on alleged human rights violations with a view to protecting the human rights of actual or potential victims of trafficking;

(*h*) Work in close cooperation, while avoiding unnecessary duplication, with other special procedures and subsidiary organs of the Council, relevant United Nations bodies, agencies and mechanisms, including the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime, the Office of the United Nations High Commissioner for Refugees, the International Labour Organization, the United Nations Children's Fund and the Inter-Agency Coordination

[4] A/HRC/26/37.

Group against Trafficking in Persons, as well as the International Organization for Migration, relevant treaty bodies, regional human rights mechanisms, national human rights institutions, civil society, including non-governmental organizations, and the private sector;

(*i*) Cooperate closely with the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, including its Working Group on Trafficking in Persons and the Working Group on the Review of the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, and attend and participate in their annual sessions, upon invitation;

(*j*) Continue consultations with States through its national-level actors to fight trafficking in persons, including national rapporteurs, coordinators and committees, as well as with human rights mechanisms and national human rights institutions, with a view to contributing to strengthening cooperation between those actors;

(*k*) Report annually on the implementation of the present resolution to the Human Rights Council and the General Assembly, according to their respective programmes of work;

3. *Urges* all Governments to cooperate fully with the Special Rapporteur and to respond favourably to his or her requests to visit their countries, to provide him or her with all necessary information related to the mandate and to react promptly to his or her urgent appeals in order to enable him or her to fulfil the mandate effectively;

4. *Strongly encourages* Governments to refer to the Recommended Principles and Guidelines on Human Rights and Human Trafficking developed by the Office of the High Commissioner as a useful tool in integrating a human rights-based approach into their responses to combat trafficking in persons;

5. *Urges* States, subregional, regional and multilateral organizations to develop and strengthen strategies and plans of action to combat trafficking in persons in accordance with a victim-centered approach;

6. *Invites* States and other interested parties to make further voluntary contributions to the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery and the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children;

7. *Requests* the United Nations High Commissioner for Human Rights to ensure that the Special Rapporteur receives the resources necessary to enable him or her to discharge his or her mandate fully;

8. *Decides* to continue consideration of the issue of trafficking in persons, especially women and children, in accordance with its annual programme of work.

37th meeting
26 June 2014

[Adopted without a vote.]